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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE JUN 01 2004

OFFICIAL

APPLICANT(s): Pirkola et al.

SERIAL NO.: 09/745,579

ART UNIT: 2683

FILING DATE: 12/21/2000

EXAMINER: D'Agosta,  
Stephen M.

TITLE: HANDHELD DEVICES

ATTORNEY

DOCKET NO.: 617-009969-US (PAR)

MAIL STOP AF

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL

1. INTRODUCTION

This is in response to the Office Action mailed April 2, 2004 (Paper No. 11) in regard to the above-identified patent application. Reconsideration of the rejection of the claims is respectfully solicited in light of the following remarks.

Adjustment date: 11/29/2004 SDIRETA1  
09/02/2004 KVESTAL 00000001 161350 09745579  
01 FC:1202 18.00 CR

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INVENTION  
DIVISION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s): Pirkola et al.  
SERIAL NO.: 09/745,579 ART UNIT: 2683  
FILING DATE: 12/21/2000 EXAMINER: D'Agosta, S.M.  
TITLE: HANDHELD DEVICES  
ATTORNEY  
DOCKET NO.: 617-009969-US (PAR)

Refund Section, Accounting Division  
Office of Finance  
Mail Stop 16  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION FOR REFUND TO DEPOSIT ACCOUNT

Sir:

Pursuant to 37 C.F. R. §1.26, Applicant, requests that the amount of \$18.00 be refunded to Deposit Account #16-1350. Applicant disputes the charge listed below:

09/02 09745579 617-009969-US (PAR) 1202 \$18.00

A copy of the Deposit Account statement is attached hereto.

The charge should not have been made. The charge is for claims in excess of twenty. An amendment had been filed on July, 1, 2004 and there were no new claims added. Thus, there is no basis for the charge.

DIVISION

Accordingly the amount of \$18.00 should be refunded to Deposit  
Account #16-1350.

2004 OCT 13 PM 4:01

Respectfully submitted,

  
Geza C. Ziegler, Jr.

Reg. No. 44,004

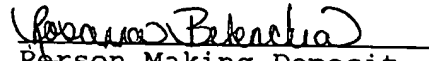
7 October 2004  
Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
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Customer No.: 2512

#### CERTIFICATE OF MAILING

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**Deposit Account Statement**

Requested Statement Month: September 2004  
 Deposit Account Number: 161350  
 Name: PERMAN & GREEN  
 Attention: WILLIAM G. HOFFMAN  
 Address: 425 POST ROAD  
 City: FAIRFIELD  
 State: CT  
 Zip: 06430

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
09/02	1	09745579	617-009969-US (PAR)	1202	\$18.00	\$9,696.66
09/03	1004	78478402	846-002527-US(TM)	7001	\$335.00	\$9,361.66
09/08	1	09954608	442010567US (PAR)	1202	\$36.00	\$9,325.66
09/10	15	10035644	390-011306-US (PAR)	1252	\$420.00	\$8,905.66
09/10	132	09521815	528-009146-US (PAR)	1453	\$1,330.00	\$7,575.66
09/16	97	60609696	486P011962-US(#1)	2005	\$80.00	\$7,495.66
09/17	141	10346791	849-011221-US (PAR)	8021	\$40.00	\$7,455.66
09/21	56	E-REPLENISHMENT		9203	-\$7,000.00	\$14,455.66
09/22	1	10081294	460-01837-US (PAR)	1252	\$420.00	\$14,035.66
09/22	2	10081294	460-01837-US (PAR)	1801	\$770.00	\$13,265.66
09/22	45	09481784	460-009131-US (PAR)	1801	\$770.00	\$12,495.66
09/22	46	09481784	460-009131-US (PAR)	1253	\$950.00	\$11,545.66
09/28	17	09515813	473-009270-US (PAR)	2252	\$210.00	\$11,335.66
09/28	49	PCT/US04/31042	770P011494-WO (EQV)	1702	\$761.00	\$10,574.66
09/28	51	PCT/US04/31042	770P011494-WO (EQV)	8007	\$20.00	\$10,554.66
09/30	1	09892036	324-010442US (PAR)	1253	\$950.00	\$9,604.66
		START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE	
		\$9,714.66	\$7,110.00	\$7,000.00	\$9,604.66	

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DIVISION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 13 PM 4:01

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SERIAL NO.: 09/745,579

ART UNIT: 2683

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EXAMINER: D'Agosta,  
Stephen M.

TITLE: HANDHELD DEVICES

ATTORNEY

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MAIL STOP AF

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SECOND AMENDMENT AFTER FINAL

I. INTRODUCTION

This is in response to the Advisory Action mailed June 16, 2004 (Paper No. 13) in regard to the above-identified patent application. Reconsideration of the rejection of the claims is respectfully solicited in light of the following amendment and remarks.

Please amend the Application as follows:

## II. CLAIM AMENDMENTS

JAN 13 PM 01

1. (Cancelled)

2. (Currently Amended) A device as claimed in claim 10, wherein said touch sensitive region is arranged to detect movement of a users finger across the touch sensitive region.

3. (Currently Amended) A device as claimed in claim 10, wherein said touch sensitive region is arranged to detect movement of a tool across the touch sensitive region.

4. (Currently Amended) A device as claimed in claim 10, wherein said touch sensitive region comprises a surface.

5. (Currently Amended) A device as claimed in claim 10, wherein said touch sensitive region is a touch pad.

6. (Currently Amended) A device as claimed in claim 10, wherein said touch sensitive region comprises a rolling means.

7. (Original) A device as claimed in claim 6, wherein said rolling means is arranged to move said indicator in two directions about a single axis.

8. (Original) A device as claimed in claim 6, wherein said rolling means is arranged to move said indicator in a plane containing two perpendicular axis.

9. (Cancelled)

10. (Currently Amended) ~~A device as claimed in claim 9,~~ A hand held communication device comprising:

a display, said display in use have a plurality of different active regions, at least one function being selectable via each active region; and

a touch sensitive region, said touch sensitive region being arranged so that movement with respect to the touch sensitive region causes an indicator to move across said display, wherein said touch sensitive region is arranged on a first side of said device and said display is arranged on a second side, and wherein said first and second sides are opposite one another; and

wherein said indicator is arranged to move only from one active region to another.

11. (Currently Amended) A device as claimed in claim 10, wherein said touch sensitive region is provided in conjunction with said display to provide a touch sensitive display.

12. (Currently Amended) A device as claimed in claim 10, wherein said indicator is a cursor.

13. (Currently Amended) A device as claimed in claim 410, wherein said device is a mobile telephone.

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14. (Currently Amended) A method of controlling a hand held communication device comprising a display in use having a plurality of different active regions, the method comprising the steps of:

operating a touch sensitive region on a first side of the device so as to cause an indicator to move across the display on a second side of the communication device that is opposite the first side;

controlling the indicator to move only from one active region to another across the display; and

selecting a function associated with the active region where the indicator is located when said selection step is performed.

15. (Currently Amended) The device of claim 410 wherein a movement of the indicator in a direction of one of the active regions causes the indicator to automatically position itself within that active region.

16. (Previously Presented) The device of claim 15 wherein the indicator can only be moved in the direction of one of the active regions.



17. (Currently Amended) The device of claim 10 wherein the indicator is initially displayed over one of the active regions of the display and can only be moved to another active region of the display.

18. (Previously Presented) The device of claim 17 wherein a movement of the indicator in a direction of one of the other active regions causes the indicator to automatically be positioned within that active region so that the at least one function is selectable.

19. (Currently Amended) The device of claim 10 wherein the display is adapted to only associate the indicator with one of the active regions on the display and not any position on the display therebetween.

20. (Previously Presented) The method of claim 14 wherein the step of controlling further comprises moving the indicator in a direction of one active region on the display and wherein the indicator is automatically moved to the active region.

21. (Previously Presented) The method of claim 14 wherein operating the touch sensitive region of the display causes the indicator to move only to active regions of the display and not any positions between active regions of the display.

22. (Previously Presented) The method of claim 14 wherein operating the touch sensitive region of the display only allows

the indicator to be moved in a direction of another active region of the display and not in any other direction.

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23. (Currently Amended) ~~The method of claim 14~~ A method of controlling a hand held communication device comprising a display in use having a plurality of different active regions, the method comprising the steps of:

operating a touch sensitive region so as to cause an indicator to move across the display of the communication device;

controlling the indicator to move only from one active region to another across the display, wherein the indicator will not automatically reposition itself from one active region of the display if the indicator is moved in a direction not associated with one of the active regions of the display;  
and

selecting a function associated with the active region where the indicator is located when said selection step is performed.

COMMUNICATIONS  
DIVISION

### III. REMARKS

1. Claims 1 and 9 are cancelled without prejudice. Independent claims 10, 14 and 23 are amended. Claims 2-6, 11-13, 15, 17 and 19 are amended to correct claim dependencies due to the cancellation of claim 1.

2. Applicant appreciates the Examiner's indication of allowable subject matter in the objected to claims. Claims 10 and 23 are amended accordingly. Claim 14 is amended to include what the Examiner has indicated are the allowable features of claim 10. Thus, claim 14 should now also be allowable.

All of the claims of the application should now be allowable.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

Geza C. Ziegler Jr.  
Geza C. Ziegler Jr.  
Reg. No. 44,004

1 July 2004  
Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
(203) 259-1800 Ext. 134  
Customer No.: 2512

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to (703) 872-9306 on the date indicated below.

Date: July 1, 2004

Signature: Laura Perreux

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